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OCEANS AND THE LAW OF THE SEA

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

OPERATIONAL ACTIVITIES FOR DEVELOPMENT

Letter dated 3 September 1997 from the Chargé d'Affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government and with reference to the joint statement signed by the Presidents of Kazakhstan and Turkmenistan on 27 February 1997 (A/52/93, annex), relating to the legal status of the Caspian Sea, I wish to draw your attention to the following points:

The legal regime governing the Caspian Sea has been provided for in the Treaty of Amity concluded between Iran and Russia on 26 February 1921, as well as the Iran-Union of Soviet Socialist Republics Commerce and Navigation Agreement of 25 March 1940 and the letters annexed thereto. In accordance with those instruments, the Caspian Sea, except for a 10-mile exclusive fishery zone, has been described as an Iran-Soviet Sea.

It should be recalled that the Ministers for Foreign Affairs of the five coastal States of the Caspian Sea, at their meeting at Ashgabat on 12 November 1996, agreed that the legal regime of the Caspian Sea, following the dismemberment of the Union of Soviet Socialist Republics, should be complemented on the basis of unanimous decision of the five coastal States.

* A/52/150 and Corr.1.

However, it must be stated that as long as the existing legal regime is not complemented, any other arrangements or exploitation of the Caspian Sea, in contravention of its current regime, will not be acceptable to the Islamic Republic of Iran and that full responsibility for damages caused to other coastal States as a result of illegal activities in the Caspian Sea rests with States violating the Caspian Sea legal regime.

In view of the above-mentioned points, my Government considers paragraph 1 of the joint statement signed by the Presidents of Kazakhstan and Turkmenistan relating to "the delimitation of administrative and territorial borders along a line running through the middle of the Sea" as a step in violation of the existing legal regime and declares that it bears no legal value and shall not affect, directly or indirectly, the existing legal regime and any future agreement that may be concluded among the five coastal States.

I should be grateful if you could have the present letter circulated as an official document of the General Assembly under items 39, 99, 100, and 101 of the provisional agenda.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.